

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**MILES BROOKS-WASHINGTON, )  
Plaintiff, ) Civil Action No. 12-233Erie  
 )  
v. )  
 )  
**JOHN DOE 1, et al, ) Magistrate Judge Baxter  
Defendants. )****

**MEMORANDUM OPINION AND ORDER**

**M.J. Susan Paradise Baxter**

This civil rights action was filed in this Court on October 1, 2012. Plaintiff, acting pro se, brought this civil rights action under 42 U.S.C. § 1983 alleging that his constitutional rights were violated during his incarceration at SCI-Smithfield. Named as Defendants in this action are: John Does 1-5, correctional officers at SCI-Smithfield.

Title 28 U.S.C. § 1404(a) provides that “for the convenience of the parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.”

Title 28 U.S.C. § 1391(b) provides that venue is proper in civil rights actions in (1) a judicial district where any defendant resides, if all defendants reside in the same state, or (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. In this case, the Defendants are not located within this District and the acts complained of did not occur within this District. For the convenience of the parties, the Clerk of Courts is directed to transfer this action to the United States District Court for the Middle District of Pennsylvania, where the Defendants reside, and where the acts complained of occurred. An appropriate Order follows.

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<b>MILES BROOKS-WASHINGTON,</b>	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 12-233Erie</b>
	)	
	)	
<b>v.</b>	)	
	)	
<b>JOHN DOES 1-5, et al,</b>	)	<b>Magistrate Judge Baxter</b>
<b>Defendants.</b>	)	

**O R D E R**

AND NOW, this 2<sup>nd</sup> day of October, 2012;

IT IS HEREBY ORDERED that the Clerk of Courts is directed to transfer this case to the United States District Court for the Middle District of Pennsylvania, FORTHWITH.

/s/ Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
United States Magistrate Judge